

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**\$36,052.00 IN UNITED STATES  
CURRENCY,**

**Defendant,**

**JASON CORTES and CHRISTA  
CORTES,**

**Claimants.**

**8:15CV11**

**ORDER**

This matter is before the court on the Plaintiff's Motion for Default Judgment and Decree of Forfeiture (Filing No. 25) against Jason Cortes, Christa Cortes, and any unknown claimants. The Plaintiff is presently represented by Nancy A. Svoboda, Assistant United States Attorney. Upon review of the record of this case, the court, being duly advised in the premises, finds as follows:<sup>1</sup>

1. A Complaint for Forfeiture In Rem was filed herein on January 13, 2015. **See** Filing No. 1. A Warrant for Arrest In Rem was issued by this Court and was properly served on the Defendant property by the U.S. Marshals Service. **See** Filing Nos. 4, 7.

2. Publication of the notice of this action and of the arrest of the Defendant property was duly made pursuant to Order of this Court dated January 23, 2015. **See** Filing Nos. 6, 15.

3. On January 14, 2015, the United States Marshals Service served Christa M. Cortes and Jason Antonio Cortes with the Complaint for Forfeiture In Rem, the Notice of Complaint for Forfeiture, and the Warrant for Arrest In Rem by certified mail, which were received and signed for by Jason Cortes on January 21, 2015. **See** Filing Nos. 7-9.

4. Christa M. Cortes and Jason Antonio Cortes (Claimants) filed an Answer to the Plaintiff's Complaint. **See** Filing No. 10 - Answer. No other person or entity entitled to

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<sup>1</sup> The parties consented to jurisdiction by a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). **See** Filing No. 13 - Consent.

the Defendant property has filed a Claim or an Answer to Plaintiff's Complaint within the time fixed by law.

5. On April 10, 2015, the Plaintiff and Claimants filed a Stipulation whereby the Claimants would withdraw their Answer and consent to the entry of a Decree of Forfeiture forfeiting the Defendant property to the United States. **See** Filing No. 17 - Stipulation. The court adopted the Stipulation. **See** Filing No. 18 - Text Order.

6. On May 28, 2015, the Claimants filed motions to withdraw their Answer. **See** Filing Nos. 19 and 20 - Motions. The court granted the motions. **See** Filing No. 21 - Text Order.

7. On June 4, 2015, a Clerk's Entry of Default was entered as to the Defendant property and as to Claimants, Jason Cortes and Christa Cortes. **See** Filing No. 24.

8. The Plaintiff's Motion for Default Judgment and Decree of Forfeiture should be sustained.

**IT IS ORDERED:**

1. The Plaintiff's Motion for Default Judgment and Decree of Forfeiture (Filing No. 25) is granted;

2. All right, title, and interest in or to the Defendant currency held by any person or entity is hereby forever barred and foreclosed;

3. The Defendant currency shall be and the same hereby is forfeited to the United States of America;

4. The Defendant currency shall be disposed of by the United States of America in accordance with law; and

5. Each party will be responsible for its own fees and costs associated with this forfeiture action.

Dated this 4th day of June, 2015.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge